

Application No. 10/642,249

MXIC 1553-3
(P920080US2)**REMARKS**

In the Official Action mailed 5 December 2005, the Examiner reviewed claims 1-30 and 32-57. The Examiner has rejected claims 30 and 32 under 35 U.S.C. §102(b); has objected to claims 33-39; and has allowed claims 1-29 and 40-57.

No claims are amended. Claims 1-30 and 32-57 remain pending.

The Examiner's rejection and objection are traversed below.

Rejection of Claims 30 and 32 Under 35 U.S.C. §102(b)

The Examiner has rejected claims 30 and 32 under 35 U.S.C. §102(b) as being anticipated by US Patent No. 6,198,781 to Ohno et al. Applicant requests reconsideration. The Examiner has apparently misread the reference.

Ohno et al. describes a receiver for QAM modulated signals. Samples of the amplitude and phase differences for incoming signals are stored in the memory 60. A phase calibrator 50 is used to calibrate "a next symbol's received signal ..." See, Ohno et al. col. 4, line 36. The Examiner takes the position that the phase calibrator 50 corresponds with the step in claim 30 of changing the reference level used for sensing data in the memory. However, the Examiner is mistaken. The phase calibrator changes the reference point frame used for computing the data to be stored in the memory 60 for a next symbol. See, Ohno et al. col. 4, lines 26-38. The phase calibrator 50 does not, as claim 30 requires, change the reference level used for sensing data in the memory. Claim 30 relates to sensing a property of memory cells that indicates a value for data in the memory that is determined with reference to a reference level, and changing that reference level to reset the memory. The phase calibrator 50 of Ohno et al. is used for changing a reference point frame used for computing data to be stored, and has nothing to do with sensing or resetting the data stored in the memory. Accordingly, Ohno et al. does not anticipate claim 30.

Claim 32 depends from claim 30, and distinguishes over the reference for at least the same reasons.

Accordingly, reconsideration of the rejection of claims 30 and 32 is respectfully requested.

Allowable Subject Matter

Claims 1-29 and 40-57 are allowed. No changes are made to such claims.

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Claims 33-39 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has not amended such claims in light of the request for reconsideration of the rejection of claim 30, from which claims 33-39 depend.

Accordingly, reconsideration of the objection to claims 33-39 is respectfully requested, in view of the arguments set forth above with respect to claim 30.

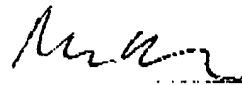
CONCLUSION

It is respectfully submitted that this application is now in condition for allowance, and such action is requested.

The Commissioner is hereby authorized to charge any fee determined to be due in connection with this communication, or credit any overpayment, to our Deposit Account No. 50-0869 (MXIC 1553-3).

Respectfully submitted,

Dated: 02 February 2006



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